

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

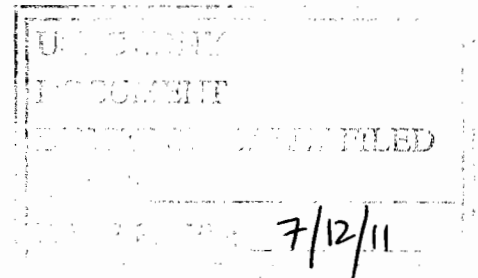
-----X
ANDREAS PEFANIS on behalf of himself :
and others similarly situated, :

Plaintiff, :

-v- :

WESTWAY DINER, INC., :

Defendant. :
-----X



08 Civ. 002 (DLC)

ORDER

DENISE COTE, District Judge:

On June 29, 2011, the Court received a letter from the plaintiff requesting a conference with the Court. By Order of June 30, the Court scheduled a hearing for July 14. On July 11, 2011, the Court received a letter from the plaintiff advising it that the defendant has agreed to the following additional relief for the class:

1. The defendant will pay for a third party administrator to administer the rest of the settlement;
2. The defendant will advise the third party administrator of all checks that are unredeemed as of July 19, 2011, and the third party administrator will reissue those checks; and
3. Unclaimed settlement funds will be redistributed to class members who redeem their checks or, if the third party administrator determines that the amount of unclaimed funds is not large enough to warrant a redistribution,

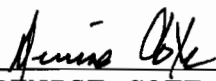
the unclaimed funds will be paid to the New York Legal Assistance Group.

Accordingly, it is hereby

ORDERED that the additional relief is approved. The July 14 conference is canceled.

SO ORDERED:

Dated: New York, New York
July 11, 2011



DENISE COTE
United States District Judge